

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Appelberg et al.

Application No.: 09/852,676

Filed: May 10, 2001

Group No.: 2821 Examiner: T. Vo

For: DISTRIBUTED EMERGENCY LIGHTING SYSTEM HAVING SELF-TESTING

DIAGNOSTIC CAPABILITIES

**Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT, REQUEST AND FEE TO DELETE AND/OR ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION (37 C.F.R. § 1.48(a))

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in a nonprovisional application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the inventorship of the nonprovisional application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f)(1): "Nonprovisional application-filing executed oath/declaration corrects inventorship. If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63 by any of the inventors, the first submission of an executed oath or declaration under § 1.63 by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship. See §§ 1.41(a)(4) and 1.497(d) for submission of an executed oath or declaration to enter the national stage under 35 U.S.C. 371 and § 1.494 or § 1.495 naming an inventive entity different from the inventive entity set forth in the international stage."

#### CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

#### MAILING

	•	
X	deposited with the United States Postal Service Box 1450, Alexandria, VA 22313-1450	ce in an envelope addressed to Commissioner for Patents, P.O
	37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10 *
X	with sufficient postage as first class mail.	as "Express Mail Post Office to Addressee"
		Mailing Label No (mandatory
	TF	RANSMISSION
Da	facsimile transmitted to the Patent and Trade ate: $8/2/04$	Signature  Kelly Puglio  (type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 1 of 3)

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1.			mendment and request is to correct the incorrect original naming of inventor(s) declaration under 37 C.F.R. § 1.48(a) as set forth and filed on (date).
2.	A	dditid	on and/or Deletion of Inventor(s)
			(check and complete all applicable items)
Add the following previously unna		X	Add the following previously unnamed person(s) as inventor(s) of this application:
			Delete the following previously incorrectly named inventor(s)
3.			ments 
		ache	
	(a)	_	tatement from: (check items below that apply)
		lΧl	each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
			each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
	(b)		eclaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).
	(c)		ten assent of the assignee (if any of the original inventors executed an assignment) C.F.R. 1.48(a)(4)
	(d)		theck the following item, if all the inventor(s) remaining after this petition and mendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)
			Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).
4.	Fe	e Pa	ayment (37 C.F.R. § 1.17(i)-\$130.00)
•	The	fee	required is paid as follows:
	X	Atta	sched is a $\square$ check $\square$ money order in the amount of \$ $130.00$
		Auti	norization is hereby made to charge the amount of \$
			to Deposit Account No
			to Credit card as shown on the attached credit card information authorization form PTO-2038.
ı	NAR	NING	: Credit card information should not be included on this form as it may become public.
			rge any additional fees required by this paper or credit any overpayment in the ner authorized above.
		A d	uplicate of this paper is attached.

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 2 of 3)

Reg. No.: 31,052

Tel. No.: (203) 261-1234

Customer No.: 4955

SIGNATURE OF PRACTITIONER
Fack M. Pasquale

Ware, Fressola, Van der Sluys & Adolphson LLP

(type or print name of practitioner)

Bradford Green, Bldg. 5, 755 Main Street P.O. Address

P.O. Box 224, Monroe CT 06468

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9–22]—page 3 of 3)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Appelberg et al.

Application No.: 09 / 852,676 Group No.: 2821

Filed: May 10, 2001

Examiner: T. Vo

For: DISTRIBUTED EMERGENCY LIGHTING SYSTEM HAVING

SELF-TESTING DIAGNOSTIC CAPABILITIES

**Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

## ASSENT OF ASSIGNEE TO CORRECTION AND/OR ADDITION OF INVENTOR(S)

E-Lite Tech	nologies, Inc.
(type or p	rint name of assignee)
2285 Reservo	oir Avenue
	Address
Trumbull, CT	06611-4752
Assignment	
x recorded on May 10, 200	01
Reel 011800	
neel	
Frame	
recorded herewith	
☐ A separate ☐"ASS tached.	SIGNMENT" (DOCUMENT) COVER SHEET is at-
	or
☐ FORM PTO 1595 is	s attached.
Assignee hereby assents to the corr	
CERTIFICATE OF MAILIN	G/TRANSMISSION (37 C.F.R. § 1.8(a))
I hereby certify that this correspondence is, on	the date shown below, being:
MAILING	FACSIMILE
deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450	transmitted by facsimile to the Patent and Trademark Office.
Alexandria, VA 22313-1450	Kelly Puglio
	Signature ( / / / / / / / / / / / / / / / / / /
Date: 8/2/04	Kelly Puglio (type or print name of person certifying)
	the state of the s

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 1 of 2)

#### **ASSIGNEE STATEMENT**

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

E-LITE TECHNOLOGIES, INC.

Signature

Gustaf T. Appelberg, President CHAIRMAN

(type or print name and title of person authorized to sign on behalf of assignee)

(Assent of Assignee to Correction and/or Addition of Inventor(s) [9-23]—page 2 of 2)

Practitioner's Docket No. 814-067.037-1

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IN THE UNITED STATES P	ATENT AND TRADEMARK OFFICE
- 1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	11. roup No.: 2821
Filed: May 10, 2001  For: DISTRIBUTED EMERGENCY EX  LIGHTING SYSTEM HAVING SELF-TES	
Patent*:	
	Issue Date:
Reexamination No.:	
	Issue Date:
Reissue: *NOTE: Insert name(s) of inventor(s) and title	for patent.
ESTABLISHING RIGHT (	DER 37 C.F.R. § 3.73(b)—OF ASSIGNEE TO TAKE ACTION  ER 37 C.F.R. §§ 1.8(a) and 1.10*  Express Mail label number is mandatory;
Express Mai	il certification is optional.)
I hereby certify that, on the date shown below, the	his correspondence is being:
	MAILING
	ce in an envelope addressed to Commissioner for Patents, P.O.
37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10 *
with sufficient postage as first class mail.	as "Express Mail Post Office to Addressee"  Mailing Label No.
TI	Mailing Label No (mandatory)  RANSMISSION
facsimile transmitted to the Patent and Trade	

Date: 8/2/04

Kelly Puglio

Signature

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Statement under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Take Action [16-16]—page 1 of 4)

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, . . ., patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

#### **IDENTIFICATION OF ASSIGNEE**

2. E-Lite Technologies, Inc.

Name of assignee

corporation

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

#### PERSON AUTHORIZED TO SIGN

3. Gustaf T. Appelberg

(type name of person authorized to sign on behalf of assignee)

President CHAIRMAN

Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

[Author's Note: The requirement for an oath or declaration for this statement by a person not a registered practitioner was rescinded by the rules effective December 1, 1997.]

(complete the following, if applicable)

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

## BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.		
1. 🗓	An assignment from the inventor(s) of the matter id recorded in the PTO at	entified above, which was
	Reel <u>011800</u> , Frame <u>0001</u>	•
2. 🗆	An assignment (document) separately being submitt	ted for recordal herewith.
	AND/OR	
<b>B.</b> $\Box$ A	chain of title from the inventor(s) to the current assig	nee as shown below:
	4. Eug.	
	1. From:Name of inventor(s)	<del></del>
	To:	
		December 5. DTO: Divis
		Recorded in PTO: Reel, Frame
	2. From:	
	Name of inventor(s) or assignee	
	To:	<del></del>
		Recorded in PTO: Reel, Frame
	3. From:	
	Name of inventor(s) or assignee	<del></del>
	To:	·
		Recorded in PTO: Reel
	(check item below, and add details, if apple	
		•
	Additional documents in the chain of title are listed in Sheet.	the attached Supplemental
	COPIES OF DOCUMENTS IN CHAIN OF	TITLE
	(complete this item, if copies are being s	sent)
		·
U	Copies of the assignment(s) or other document(s) in th as follows:	e chain of title are attached
	□ A □ 1 □ 2	
	□ B □ 1 □ 2 □ :	3
(Statement	under 37 C.F.R. § 3.73(b) — Establishing Right of Assignee to Ta	ake Action [16-16]—page 3 of 4)

(Signature of authorized person)

Gustaf T. Appelberg

(type or print name of authorized person)

P<del>resident</del> CHAIRMAN 7339

Title of authorized person

Reg. No.: 31,052

Tel. No.: (203) 261-1234

Customer No.: 4955

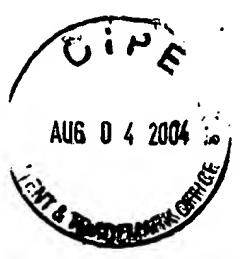
SIGNATURE OF PRACTITIONER
Jack M. Pasquale

Ware, Fressola, Van der Sluys & Adolphson LLP (type or print name of practitioner)

Bradford Green, Bldg. 5, 755 Main Street

P.O. Address

P.O. Box 224, Monroe CT 06468



## Practitioner's Docket No. 814-067.037-1

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Appelberg et al.

For: DISTRIBUTED EMERGENCY LIGHTING SYSTEM HAVING SELF-TESTING

DIAGNOSTIC CAPABILITIES

th	e s	pecif	fication of which:	
			(check and	complete (a), (b) or (c))
	(a)		is attached hereto.	
	(b)	$\overline{\mathbf{X}}$	was filed on <u>5/10/01</u> as	Application Serial No. 09 /852,676
	` '		and was amended on $\frac{2}{12}$	
	(c)		was described and claimed	in International Application No.
				amended on (if any).
		C		TO INVENTORSHIP AND F CLAIMS FILED IN APPLICATION
l h	ereb	v cer	(When using Express Mail, the Express Mai	ER 37 C.F.R. §§ 1.8(a) and 1.10*  Express Mail label number is mandatory;  il certification is optional.)
, .,	CICO	y cen	tify that, on the date shown below, t	MAILING
X	de; Bo:	oosite x 145	U. Alexandria, VA 22313-1450	ce in an envelope addressed to Commissioner for Patents, P.O.
X	wit	h euff	37 C.F.R. § 1.8(a)	37 C.F.R. § 1.10 *
<b>₩</b>	VVII.	ii suii	ficient postage as first class mail.	as "Express Mail Post Office to Addressee"  Mailing Label No (mandatory)
			Tf	RANSMISSION
Dat	fac.	- /	transmitted to the Patent and Trade	Signature Signature
	<u> </u>			Kelly Puglio
		•		(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Statement of Inventorship and Common Ownership of Claims in Application [6-9]—page 1 of 3)

( ' )	The subject matter of claims(s) $1-17$ was made by inventor(s) Gustaf T. Appelberg, Joseph W. Fleming and
	Douglas A. George
(b)	The subject matter of claims(s) was made by inventor(s)
(c)	The subject matter of claims(s) was made by inventor(s)
	Statement as to Knowledge (or Lack of Knowledge) by Later Inventor(s) of Subject Matter by Earlier Inventor(s)
The	e last-made invention of this application is the subject matter of claim(s)
	4, 26-38, made by inventor(s) Gustaf T. Appelberg, Joseph W. aing and Douglas A. George
2, 2 Flem Wh	· ·
2, 2 Flem Wh	A company and Douglas A. George  The subject matter of the invention of claim(s) 18-22, 24, 26-38 was made stor(s) Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.
2, 2 Flem Wh	A decided and Douglas A. George  The subject matter of the invention of claim(s) 18-22, 24, 26-38 was made stor(s) Gustaf T. Appelberg, Joseph W. Fleming and Douglas A. Orge
2, 2 Flem Wh	At the subject matter of the invention of claim(s) 18-22, 24, 26-38 was made stor(s) Gustaf T. Appelberg, Joseph W. Fleming and Douglas A. George  (check applicable item)
2, 2 Flem Wh nven Geo	made by inventor(s) Gustaf T. Appelberg, Joseph W. Aing and Douglas A. George  men the subject matter of the invention of claim(s) 18-22, 24, 26-38 was made stor(s) Gustaf T. Appelberg, Joseph W. Fleming and Douglas A. Orge  (check applicable item)
Yh  Normalis  Of the	A check applicable item)  Gustaf T. Appelberg, Joseph W.  Gustaf T. Appelberg, Joseph W.  Gustaf T. Appelberg, Joseph W.  Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.  Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.  Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.  Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.  Gustaf T. Appelberg, Joseph W. Fleming and Douglas A.  Gustaf T. Appelberg was made by inventor(s)  Gustaf T. Appelberg, Joseph W.  Gustaf T. Appelberg was made by inventor(s)  Gustaf T. Appelberg, Joseph W.  Gustaf T. Appelberg, Jo
Yh  Nor Geo  of the	A character of the invention of claim(s) 18-22, 24, 26-38 was made stor(s) Gustaf T. Appelberg, Joseph W. Fleming and Douglas A. George  (check applicable item)  knew  did not know e earlier invention of the subject matter in the other claim(s) of this application.  more than two sets of inventors for claimed invention are listed in the application,

(Statement of Inventorship and Common Ownership of Claims in Application [6-9]—page 2 of 3)

## 4. Identification of Person(s) Making this Statement

The person making this statement is:					
(complete (a) or (b))					
(a) 🗌	the	e inventor			
(b) 🗵	the of	owner or a person authorized to sign on behalf of the owner on the basis			
	X	an assignment			
		recorded: Reel 011800 Frame 0001			
		unrecorded			
		☐ copy attached			
		an agreement			
		☐ copy attached			
		other			
		supporting papers attached			
		Signature by inventor(s)			
Gustaf	Τ.	Appelberg			
Joseph	(type W.	name of inventor) Fleming  Signature of inventor)  Fleming			
_		name of inventor) Signature of inventor			
Douglas A. George					
(type name of inventor) Signature of inventor					
Signature by owner					
Gustaf	Τ.	Appelberg Mind J. Commenda			
	(type	name of person)			
Preside	ent	CHAIRMAN 7374			
		Title			

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Appelberg et al.

Application No.: 09/852,676 Group No. 2821

Filed: May 10, 2001 Examiner: T. Vo

For: DISTRIBUTED EMERGENCY LIGHTING SYSTEM HAVING SELF-TESTING

DIAGNOSTIC CAPABILITIES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

ATTENTION: Supervisory Patent Examiner, Unit \_\_\_\_\_2821\_

# STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY PETITION TO CHANGE INVENTORSHIP IN NON-PROVISIONAL APPLICATION (37 C.F.R. 148(a)(1))

NOTE: Nothing more than a simple statement is required. The examiner will determine only whether the statement contains the required language and will not make any comment as to whether or not it appears that there was in fact a deceptive intention. M.P.E.P., § 1481, 7<sup>th</sup> Edition.

I, the person who is being added as an inventor by the petition being submitted to correct the inventorship of this nonprovisional application do hereby declare that the inventorship error in failing to include my name as an inventor on this nonprovisional application occurred without any deceptive intention on my part.

Douglas A. George
Type name of inventor being added

Signature

Date



## **DECLARATION OF FACTS**

I, DOUGLAS A. GEORGE, do declare and say:

1. I am familiar with a patent application pending in the United States Patent Office relating to a "Distributed Emergency Lighting System Having Self-Testing Diagnostic Capabilities", which was filed on May 10, 2001 and has been assigned Serial No. 09/852,676.

- 2. I contributed to some of the technical subject matter disclosed in the above-mentioned patent application and that the information was incorporated into the patent application filed on May 10, 2001. However, through administrative oversight, I was not named as an inventor.
- 3. Therefore, it is appropriate to amend the application to include myself as a named inventor at this time.
  - 4. The inventorship error occurred without deceptive intention on my part.
- 5. Therefore, today I am contemporaneously executing a Combined Declaration and Power of Attorney along with the other inventors so that all three persons are now named as inventors.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Douglas A. GEORGE

Dated:  $\frac{5/19}{04}$ 



### **DECLARATION OF FACTS**

I, GUSTAF T. APPELBERG, do declare and say:

I am familiar with a patent application pending in the United States Patent Office

relating to a "Distributed Emergency Lighting System Having Self-Testing Diagnostic

Capabilities", which was filed on May 10, 2001 and has been assigned Serial No. 09/852,676.

It is my understanding that Mr. Douglas A. George contributed to some of the

technical subject matter disclosed in the above-mentioned patent application and that the

information was incorporated into the patent application filed on May 10, 2001. However,

through administrative oversight, he was not named as an inventor.

3. Therefore, it is appropriate to amend the application to include Douglas A. George

as a named inventor at this time.

The inventorship error occurred without deceptive intention on my part. 4.

Therefore, today I am contemporaneously executing a Combined Declaration and

Power of Attorney along with the other inventors so that all three persons are now named as

inventors.

I further declare that all statements made herein of my own knowledge are true and that

all statements made on information and belief are believed to be true; and further that all these

statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code.

Gustaf T. APPELBERG

Dated: 5/12/04

1



## **DECLARATION OF FACTS**

I, JOSEPH W. FLEMING, do declare and say:

- 1. I am familiar with a patent application pending in the United States Patent Office relating to a "Distributed Emergency Lighting System Having Self-Testing Diagnostic Capabilities", which was filed on May 10, 2001 and has been assigned Serial No. 09/852,676.
- 2. It is my understanding that Mr. Douglas A. George contributed to some of the technical subject matter disclosed in the above-mentioned patent application and that the information was incorporated into the patent application filed on May 10, 2001. However, through administrative oversight, he was not named as an inventor.
- 3. Therefore, it is appropriate to amend the application to include Douglas A. George as a named inventor at this time.
  - 4. The inventorship error occurred without deceptive intention on my part.
- 5. Therefore, today I am contemporaneously executing a Combined Declaration and Power of Attorney along with the other inventors so that all three persons are now named as inventors.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Joseph W. FLEMING

Dated: 5 - 20 - 3004

#### **COMBINED DECLARATION AND POWER OF ATTORNEY**



814-067.037-1 (Docket Number)

As a below named inventor, I hereby declare that:

- my residence, post office address and citizenship are as stated below next to my name;
- I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: DISTRIBUTED EMERGENCY LIGHTING SYSTEM HAVING SELF-TESTING AND DIAGNOSTIC CAPABILITIES;
- the specification of which is attached hereto unless the following box is checked: \omega. If the box is checked,

the application was filed on **May 10, 2001**, as U.S. Application Number **09/852,676**, or PCT International Application Number and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application			
(Application Number)	(Country)	(Day/Month/Year Filed)	
(Application Number)	(Country)	(Day/Month/Year Filed)	

To the extent permitted by rule or law, I hereby incorporate by reference the Prior Foreign Application(s) listed above.

I hereby claim the benefits under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/203,878 (Provisional Application Number)	12/05/2000 (Day/Month/Year Filed)
(Provisional Application Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)	(Day/Month/Year Filed)	(Statuspatented, pending, abandoned)
(Application Number)	(Day/Month/Year Filed)	(Statuspatented, pending, abandoned)

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I hereby appoint and authorize the attorney(s) and/or agent(s) assigned to customer number 4955, as may from time to time be amended, belonging to the firm of Ware, Fressola, Van Der Sluys & Adolphson LLP, to represent me in prosecuting this application and in transacting all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to: Ware, Fressola, Van Der Sluys & Adolphson LLP at (203) 261-1234. Address all correspondence to customer number: 4955.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Gustaf T. APPELBERG  Full name of sole or first inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)			
Inventor's Signature	<u>5/18/04</u> Date		
Fairfield, Connecticut Residence	USA Citizenship		
Post Office Address: 430 Reid Street, Fairfield, Connec	ticut 06430, USA.		
Joseph W. F Full name of second inventor (given name, middle			
November's Signature	5-20-2004  Date		
Ramsey, New Jersey Residence	USA Citizenship		
Post Office Address: 16 Shadyside Road, Ramsey, New	Jersey 07446, USA.		
Douglas A. GEORGE  Full name of third inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)			
Inventor's Signature  Watertown, Connecticut	Date USA		
Residence Citizenship  Post Office Address: 75 Dunrobin Lane, Watertown, Connecticut 06795, USA.			
Full name of fourth inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)			
Inventor's Signature	Date		
Residence	Citizenship		
Post Office Address: .			

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Additional inventors are being named on separately numbered sheets attached hereto.